IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 496 OF 1989

Ijaj Ahmed Abdul Latif ..Appellant
(Ori.Accused No.3)

versus

State of Maharashtra ..Respondents

Mr. Ganesh Gole for the Appellant.

Mr. P. S. Hingorani, APP for the State.

WITH

CRIMINAL APPEAL NO. 579 OF 1989

The State of Maharashtra ..Appellant

versus

1. Anwar Ahamad Yunus Momin ..Respondents
2. Malik Ahammad Gulam Mustafa (Ori. Accused
3. Ayyaa Ahammad Abdul Kadir Nos.1, 4 & 5)

Mr. P. S. Hingorani, APP for the Appellant.

Mr. Firoz Ansari for the Respondent No.1 / Original Accused No.1.

Mr. P.M. Pradhan Advocate for the Respondent No.2 / Original Accused No.4.

WITH

CRIMINAL APPEAL NO. 580 OF 1989

The State of Maharashtra ..Appellant
versus
1. Bilal Ahammad Mohammad Ilias ..Respondents
2. Ijaj Ahmmad Abdul Latif (Ori.Accused Nos.2 & 3)

Mr. P. S. Hingorani APP for the Appellant -

State.
None for the Respondents.

CORAM : D. G. DESHPANDE, &
SMT. NISHITA MHATRE, JJ.

DATE : 15TH MARCH, 2007.

P.C.

1. Mr. Ganesh Gole for the sole Appellant - Original Accused No.3 the in Criminal Appeal No. 496 of 1998 states that the Appellant is dead. He files true copy of the Death Certificate issued by Bhiwandi Nizampur City Municipal Corporation dated 12.2.2007, the same is taken on record. In view of this Appeal, Criminal Appeal No. 496 of 1989 abates. Appeal disposed of accordingly.

2. Criminal Appeal No. 580 of 1989 is filed by the State against original accused Nos.2 and 3 for enhancement of sentence. Death certificate of accused No.2 dated 27.2.2003 is already on record. Since both the original accused Nos. 2 and 3 are dead, Appeal No. 580 of 1989 filed by the State against original accused Nos.2 and 3 abates. Appeal disposed of accordingly.

3. Criminal Appeal No. 579 of 1989 is filed by the State against original Accused Nos. 1, 4 and 5 challenging their acquittal. Adjourned to 20.3.2007 for hearing.

(SMT. NISHITA MHATRE, J.) **(D.G. DESHPANDE, J.)**